

FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

AUG 17 2018

RECEIVED
IN CLERK'S OFFICE
DISTRICT COURT E.D.N.Y.

AUG 07 2018

LONG ISLAND OFFICE

ALB:RAT
F. #2008R01993

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA

- against -

MUHAMMAD ASHFAQ,
also known as "Muhammad
Shafaq,"
ZAHEDA GONZALES,
also known as "Zaheda Anjun,"
"Zaheda Amjun" and "Mariam
Shaik,"
ALI MUSHTAQ,
also known as "Mushtaq Ali,"
and
MOHAMMAD NAWAZ,
also known as
"Muhammad Goshi,"

Defendants.

-----X

THE GRAND JURY CHARGES:

INTRODUCTION

At all times relevant to this Indictment, unless otherwise indicated:

I. The Defendants and Their Entities

1. The defendant MUHAMMAD ASHFAQ, also known as "Muhammad Shafaq," was a resident of Brightwaters, New York.
2. The defendant ZAHEDA GONZALES, also known as "Zaheda Anjun," "Zaheda Amjun" and "Mariam Shaik," was a resident of New Hyde Park, New York.

INDICTMENT

Cr. No. **CR 18 405**
(T. 18, U.S.C., §§ 982(a)(2)(A),
982(b)(1), 1349 and 3551 et seq.;
T. 21, U.S.C., § 853(p))

SPATT, J.

BROWN, M. J.

3. The defendant ALI MUSHTAQ, also known as "Mushtaq Ali," was a resident of Staten Island, New York.

4. The defendant MUHAMMAD NAWAZ, also known as "Muhammad Goshi," was a resident of Hellicott City, Maryland.

5. In or about December 2001, the defendant ZAHEDA GONZALES, also known as "Zaheda Anjun," "Zaheda Amjun" and "Mariam Shaik," incorporated a business known as Zee Tech Computers ("Zee Tech") in New York state, and listed the company's address as 71-26 Roosevelt Avenue, Jackson Heights, New York. In or about September 2006, GONZALES purchased Ayesha International Design, Inc. ("Ayesha International"), and listed her home address in New Hyde Park, New York, as the company's address on a business bank account opened in the name of Ayesha International.

6. In or about March 2005, the defendants ALI MUSHTAQ, also known as "Mushtaq Ali," and MOHAMMAD NAWAZ, also known as "Muhammad Goshi," together with Co-Conspirator #1, an individual whose identity is known to the Grand Jury, filed paperwork with the New York State Department of State incorporating a business known as Own Dream, Inc. ("Own Dream"), located in Flushing, New York.

7. In or about March 2008, Co-Conspirator #2, an individual whose identity is known to the Grand Jury, acting at the direction of the defendants ALI MUSHTAQ, also known as "Mushtaq Ali," and MOHAMMAD NAWAZ, also known as "Muhammad Goshi," together with others, established merchant accounts at a previously incorporated business known as Huda Enterprises, Inc. ("Huda Enterprises") located in Hempstead, New York.

8. In or about April 2008, Co-Conspirator #3, an individual whose identity is known to the Grand Jury, acting at the direction of the defendants ALI MUSHTAQ, also known as "Mushtaq Ali," and MOHAMMAD NAWAZ, also known as "Muhammad Goshi," together with others, incorporated a business known as Deer Park Marble, Inc. ("Deer Park Marble") located in Deer Park, New York.

II. The Victim Financial Institutions

9. Bank of America, N.A. ("Bank of America"), First Franklin, a division of National City Bank ("First Franklin"), JPMorgan Chase Bank, N.A. ("Chase Bank") and Capital One Bank, N.A. ("Capital One") (collectively, the "Victim Financial Institutions") were financial institutions, the deposits of which were insured by the Federal Deposit Insurance Corporation.

III. The Bank Fraud Scheme

10. On or about and between January 1, 2003 and February 28, 2009, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants MUHAMMAD ASHFAQ, also known as "Muhammad Shafaq," ZAHEDA GONZALES, also known as "Zaheda Anjun," "Zaheda Amjun" and "Mariam Shaik," ALI MUSHTAQ, also known as "Mushtaq Ali," and MOHAMMAD NAWAZ, also known as "Muhammad Goshi," together with others, operated a scheme to defraud banks.

11. It was a part of the fraudulent scheme that the defendants MUHAMMAD ASHFAQ, also known as "Muhammad Shafaq," ZAHEDA GONZALES, also known as "Zaheda Anjun," "Zaheda Amjun" and "Mariam Shaik," ALI MUSHTAQ, also known as "Mushtaq Ali," and MOHAMMAD NAWAZ, also known as "Muhammad

Goshi,” together with others, opened fraudulent credit card accounts at the Victim Financial Institutions. After opening these fraudulent accounts, the defendants, together with others, initially made minimal required payments on the fraudulently obtained credit card accounts, which caused the Victim Financial Institutions to increase the credit limits on those credit card accounts.

12. As a further part of the fraudulent scheme, the defendants ZAHEDA GONZALES, also known as “Zaheda Anjun,” “Zaheda Amjun” and “Mariam Shaik,” ALI MUSHTAQ, also known as “Mushtaq Ali,” and MOHAMMAD NAWAZ, also known as “Muhammad Goshi,” together with others, opened credit card merchant processing accounts at the Victim Financial Institutions. The credit card merchant processing accounts were held in the names of the defendants’s entities, including Zee Tech, Ayesha International, Own Dream, Huda Enterprises and Deer Park Marble. GONZALES, MUSHTAQ and NAWAZ knew that these merchant processing accounts, as well as other merchant processing accounts operated by co-conspirators, would be used to charge credit cards for fraudulent purchases unrelated to those entities. The merchant processing accounts were then, in fact, used to process fraudulent charges made using fraudulent credit card accounts that the defendants and others used, which charges were not repaid to the Victim Financial Institutions. Ultimately, the Victim Financial Institutions lost more than \$254,542 because of fraudulent credit card charges processed through merchant processing accounts established by the defendants and their co-conspirators.

13. For example, in or about January 2008, the defendant MUHAMMAD ASHFAQ, also known as “Muhammad Shafaq,” provided the personal and financial

information of Jane Doe #1, an individual whose identity is known to the Grand Jury, as well as information concerning several of her existing credit cards, to defendant ZAHEDA GONZALES, also known as "Zaheda Anjun," "Zaheda Amjun" and "Mariam Shaik," to obtain additional credit cards in Jane Doe #1's name from the Victim Financial Institutions, and to increase the credit limits on her existing credit cards in her name. GONZALES then provided the information obtained from ASHFAQ regarding Jane Doe #1's personal and financial information to the defendants ALI MUSHTAQ, also known as "Mushtaq Ali," and MOHAMMAD NAWAZ, also known as "Muhammad Goshi." Thereafter, between approximately April 2008 through September 2008, ASHFAQ, GONZALES, MUSHTAQ and NAWAZ, together with others, used credit cards in Jane Doe #1's name, (a) to make purchases from unsuspecting retail merchants; (b) to obtain money from the credit card merchant processing accounts that the defendants had opened at the Victim Financial Institutions, which the defendants did not intend to repay; and (c) to obtain money from other merchants who were aware of the defendants' scheme, which the defendants did not intend to repay. Ultimately, the Victim Financial Institutions lost more than \$168,000 based upon charges in the name of Jane Doe #1.

CONSPIRACY TO COMMIT BANK FRAUD

14. The allegations contained in paragraphs one through 13 are realleged and incorporated as if fully set forth in this paragraph.

15. On or about and between January 1, 2003 and February 28, 2009, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendants MUHAMMAD ASHFAQ, also known as "Muhammad Shafaq,"

ZAHEDA GONZALES, also known as "Zaheda Anjun," "Zaheda Amjun" and "Mariam Shaik," ALI MUSHTAQ, also known as "Mushtaq Ali," and MOHAMMAD NAWAZ, also known as "Muhammad Goshi," together with others, did knowingly and intentionally conspire to execute a scheme and artifice to defraud one or more financial institutions, to wit: the Victim Financial Institutions, the deposits of which were insured by the Federal Deposit Insurance Corporation, and to obtain moneys and funds owned by and under the custody and control of such financial institutions, by means of materially false and fraudulent pretenses, representations and promises, contrary to Title 18, United States Code, Section 1344.

(Title 18, United States Code, Sections 1349 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

16. The United States hereby gives notice to the defendants that, upon their conviction of the offense charged herein, the government will seek forfeiture in accordance with Title 18, United States Code, Section 982(a)(2), which requires any person convicted of such offense to forfeit any property constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense.

17. If any of the above-described forfeitable property, as a result of any act or omission of the defendants:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

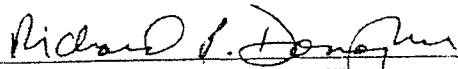
it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1), to seek forfeiture of any other property of the defendants up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 982(a)(2) and 982(b)(1); Title 21, United States Code, Section 853(p))

A TRUE BILL



FOREPERSON



RICHARD P. DONOGHUE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

United States of America

v.

ALI MUSHTAQ,
also known as "Mushtaq Ali,"*Defendant*

TO BE FILED UNDER SEAL

Case No.

CR 18 405**SPATT, J.****BROWN, M. J.****ARREST WARRANT**

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
 (name of person to be arrested) ALI MUSHTAQ, also known as "Mushtaq Ali"
 who is accused of an offense or violation based on the following document filed with the court:

- ☒ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☐ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Conspiracy to commit bank fraud in violation of Title 18, United States Code, Section 1349.

Date: 08/07/2018*Issuing officer's signature*City and state: CENTRAL ISLIP, NY**THE HONORABLE JUDGE ARLENE LINDSAY***Printed name and title***Return**

This warrant was received on (date) _____, and the person was arrested on (date) _____
 at (city and state) _____.

Date: _____

*Arresting officer's signature**Printed name and title*

**This second page contains personal identifiers provided for law-enforcement use only
and therefore should not be filed in court with the executed warrant unless under seal.**

(Not for Public Disclosure)

Name of defendant/offender: _____

Known aliases: _____

Last known residence: _____

Prior addresses to which defendant/offender may still have ties: _____

Last known employment: _____

Last known telephone numbers: _____

Place of birth: _____

Date of birth: _____

Social Security number: _____

Height: _____ Weight: _____

Sex: _____ Race: _____

Hair: _____ Eyes: _____

Scars, tattoos, other distinguishing marks: _____

History of violence, weapons, drug use: _____

Known family, friends, and other associates (name, relation, address, phone number): _____

FBI number: _____

Complete description of auto: _____

Investigative agency and address: _____

Name and telephone numbers (office and cell) of pretrial services or probation officer (if applicable): _____

Date of last contact with pretrial services or probation officer (if applicable): _____